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ABSTRACT

The issue of school violence as well as the various public policies and school policies which have an impact on several issues are addressed in this paper. These issues are school suspensions, the distinctions between youth and adult crime, the question of who is to blame for student actions, and which institutions and individuals should be held responsible for what takes place in schools. Youth crime in the schools is high and on the rise. The cost of this crime to the public schools is estimated to be about $600 million a year. While this side of the coin is presented, the series of court decisions and a number of reports which criticize the public schools for the way they handle disruptive students is given as well. These place added burdens on public school officials and fail to grapple with the inadequate resources and facilities of the public schools, especially in a period of an economic crunch. Another aspect of the problem relates to a reanalysis of how the courts should deal with youth crime. While not particularly a school question, the two are closely related. It is concluded that school violence is not simply a school problem, but it is tied to large social problems. (Author/AM)

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REMARKS OF EUGENIA KEMBLE, SPECIAL ASSISTANT TO THE AFT PRESIDENT
AT THE ANNUAL CONFERENCE OF
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December 15, 1975

Unfortunately, there is a good deal of confusion today over the issue of school violence and over the various public policies and school policies which have an impact on such related issues as: school suspensions; the distinctions between youth and adult crime; the question of who is to blame for student actions; and which institutions and individuals should be held responsible for what takes place in schools. Given the incredible rise in school crime and violence it is even more surprising that the enormity of the problem has not yet pointed us in a rational cohesive direction in terms of public policy.

To begin with, we have on the one hand a set of devastating statistics on the rise of school crime. Many of these are well known, but let me cite a few. A preliminary report of Senator Birch Bayh's Subcommittee to Investigate Juvenile Delinquency found the following increases between 1970 and 1973:

* homicides increased by 18.5%
* rapes and attempted rapes increased by 40.1%
* robberies increased by 36.7%
* assaults on students increased by 85.3%
* assaults on teachers increased by 77.4%
* burglaries of school buildings increased by 11.8%
* drug and alcohol offenses on school property increased by 37.5%
* dropouts increased by 11.7%

Cities come in for the largest share of crime. Estimates vary -- that from between 55% and 63% of school violence takes place in large cities — but the trend is clear. AFT President Albert Shanker, in his testimony before the Subcommittee last spring testified that in New York City alone the following occurred:

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* during the first five months of the '74 - '75 school year there were 31 incidents involving handguns
* there were 474 assaults on teachers during the first five months
* during the same period of time there were 612 arrests in the

schools of New York — an increase of 95.6% over the 313 figure of the previous year.

It is interesting to note that youth crime outside of school is much, much greater -- there were 25,979 arrests of persons under 16 years of age in New York City in 1974 (a 10.1% increase over the previous year). But clearly there is a trend for such crimes to move into the schools. It must also be noted in looking at these statistics, that it is estimated that unreported school crime in New York City is estimated at between 30% and 60%. Obviously the incompleteness of the statistics we do have cause us to seriously underestimate the problem. What we do know is that the cost to the public schools is very high — the Bayh Committee estimates it at about $600 million a year. But this is just one side of the coin, one part of a picture that is vastly more complicated. On the other side are a series of court decisions and a number of reports which criticize the public schools for the way they handle disruptive students; which place added burdens on public school officials; and which fail to grapple realistically with the inadequate resources and facilities of the public schools, especially in a period of economic crunch. I am speaking, of course, of the Supreme Court's decisions in Goss v. Lopez and Wood v. Strickland and of two reports published recently by the Children's Defense Fund -- Children Out of School in America and School Suspensions -- Are They Helping Children.

In Goss v. Lopez the court ruled that students have the constitutional right not to be suspended for misbehavior unless they are first afforded due process rights, informed of the reason, and given a hearing — even for suspensions of a single day. Suspensions of more than ten days may require additional measures. (I might say parenthetically here that many courts have ruled that non-tenured teachers do not have the right to due process when they lose a job.) While Goss v. Lopez concerns itself with the rights of students who may disrupt classrooms — and we would be the first

to admit that some unfair decisions are made -- it certainly does not address itself to the rights of those students and teachers who are left to cope with disruptive students. Why don't the courts insist on minimal funding for alternative settings for disruptive students on the grounds that those who do not interfere with educational process deserve functional classrooms? The need for a hearing in every case of suspension will certainly have the effect of discouraging teachers from taking action. Wood v. Strickland, a decision which allows school board members to be held liable if they deprive students of their rights, will only add to the hesitancy of school officials. These decisions come at a time when discipline is still cited by this nation's parents as the chief problem of the schools; when school violence statistics are showing enormous increases and when there are even fewer resources in the way of alternative settings and counseling to help cope with the problem. If the courts had simultaneously ruled that minimum funding be put into helping schools deal with suspension problems, alternative schools, counseling, etc., these decisions might have a different effect.

Decisions like Goss and Wood are fed by reports such as the ones the Children's Defense Fund is coming out with. We can't help taking note, I might add, of the fact that the Children's Defense Fund is heavily funded by the Ford Foundation and that those arguing the Goss v. Lopez case were supported by two Ford Foundation funded groups, the National Committee for Citizens in Education and the Education Law Center, Inc. All of these groups have put a lot of time and Ford Foundation money into attacking the public schools and public school personnel.

At any rate, School Suspensions -- Are They Helping Children is a report which claims that larger proportions of minority pupils are suspended than of non-minority pupils and that this is grounds enough to suggest discrimination in suspension policies. The Children's Defense Fund also insists that one be accepted as prima facie evidence of the other.

I simply do not accept this as evidence. I will also say that there may very well be discrimination in suspension policies, but this report is not sufficient evidence of it. At most it warrants further exploration of the problem.

Unfortunately, we are witnessing a growing acceptance by the courts and others to accept proportionality arguments as evidence of discrimination. We are seeing this applied to cases involving testing and credentialing. We are seeing it emerge as the debate over quotas continues. It is simply not enough for the Children's Defense Fund to say that the public schools are discriminating simply on the basis of percentage figures. We would also have to know how many of the suspended children -- black or white -- are from broken homes, or live in single parent families, or have suffered from child abuse and neglect, or are from families with incomes below the poverty level, or live in central cities, or are from families where the adults are chronically unemployed or under-employed. I would be willing to wager a guess that if all of these factors were looked at across racial lines that many of them would prove to be much more crucial determinants of suspension than race -- there is a research question for some of you to look at. I must admit that I am constantly amazed at what the research community is willing to let pass as serious research. By the way, if we follow this same line of thinking I suppose we can expect additional volumes from the Children's Defense Fund suggesting that suspension policies reflect sexism because more boys are suspended than girls and age discrimination because more older than younger ones.

Anyway, the court decisions and reports like these put a whole different twist on the school violence question. They add to the popular tendency to blame the schools for what is wrong. They tend to overlook a whole set of factors that have an impact on the ability of schools to do a job in these areas. To begin with, they say nothing of the current economic crisis the schools and society in general are

faced with and the fact that it is precisely those areas that have an impact on school violence and student discipline which are the first to go. The most dramatic and extreme example of this is in New York City where the first categories of employees to be cut were guidance counselors, security guards and attendance teachers. In looking at attendance teachers alone, this years' cuts mean that there are only 84 attendance teachers servicing 100 high schools. Five school districts have only one attendance teacher; four have two; and three districts have three. Exempting the high schools, there are only 144 teachers left to service 32 troubled urban school districts. How can public schools do anything about truancy -- a discipline problem -- under circumstances like these?

Whatever inabilities the school had to begin with -- and in most urban centers there have never been enough counselors, security personnel and attendance teachers -- the current crunch is only making matters worse. And, the courts stay conveniently away from what circumstances like these mean for equal protection or due process. By avoiding the question of what substance our schools are able to provide they can continue to concentrate on procedural questions and make decisions that only exacerbate the substantive difficulties the schools are having.

I am not finished outlining this complicated picture. On the other side of the political spectrum there is a re-examination of how the courts should deal with youth crime. While this is not particularly a school question, the two are very closely related. On November 30th, the New York Times reported that "a national commission set up to establish the country's first comprehensive guidelines for juvenile offenders has recommended radical philosophical changes that would base sentences on the seriousness of the crime rather than on a judge's view of the 'needs' of the youth." Under the recommendations of the commission disparities between juvenile and adult sentencing would be closed and juvenile proceedings would be opened to the public. The recommendations lean in the direction of stiffer

penalties for youth which, according to the commission's head, Irving R. Kaufman, come at a time of "community outrage" over violent crimes committed by youth.

What all of these strands of activity boil down to is a public policy picture that doesn't make much sense. While the Supreme Court and the agents of the Ford Foundation concentrate on attacking and hamstringing the public schools, the problem gets worse. In the meantime there is a seething backlash among the public and others in positions of power against youth crime. Simultaneously school budgets are being cut making it even more difficult for schools to handle the process of education, much less deal with school discipline and crime. The end result may be even harsher penalties for crime-prone youth and even less in the way of the school services that are needed to forestall this trend.

At present the courts have little to fall back on in dealing with convicted youth but jails and detention homes. School systems do not have the alternative facilities and all the special counseling services to deal with difficult students. Given the economic disaster there are really only two directions in which this problem might move. We may find that schools increase the use of short-term protective mechanisms -- security procedures, guards, alarms, identification cards, etc., -- which are necessary stop-gap measures that do not address the root of the problem. And, we may find that more students are spending more time in jails and detention homes. Or we may find that school based crime simply increases. One of these "solutions" means that nothing remedial is being done for the offender. The other means that nothing is done for the victim. Together they mean that the problem will simply continue to get worse.

The American Federation of Teachers has made a number of suggestions which we think provide much more positive ways to approach the problem. They do involve money. We tend to think that almost anything that has worthwhile substance will cost money and that the kinds of proposals that focus only on procedure will probably miss the

mark. We propose the following:

* That public school systems provide alternative school settings with special services for the student who is an habitual discipline problem. Additional funds will have to be provided for this purpose. There must be an alternative to suspension.

* New funds should be appropriated so that public school systems can provide early childhood education. Many of the problems of youth offenders begin in the early years. Some of them are the victims of child abuse and neglect. Some may have been what we call "latch-key" children. The importance of the early years to healthy child development is widely acknowledged.

* More funds will have to be provided to hire additional security personnel.

* Funds must be provided for drug and alchohol education.

There is another thing that must be said about this problem, and that is that we must constantly be aware of the relationship of school violence to the large social problems. We cannot ignore problems like urban decay and unemployment. School violence is not simply a school problem. While most of us recognize this, too often we are willing to focus only on school-based solutions. We should also be considering measures having to do with welfare reform, unemployment, housing, health security, etc.

Where does all of this leave the research community? In asking myself why CEDaR had chosen this topic for its annual conference, I was originally a bit mystified. It seemed to me that the research questions involved were not really all that interesting. Simple statistics and how to improve reporting of crime -- both of which are extremely important (and we need more in this area) -- seemed to be about all there was to it. But in considering the court decisions and some of the reports that have come out I changed my mind. You really have a responsibility to look at this issue in all of its complexity -- there are more variables involved than simply school variables. You also have a responsibility to criticize research that is overly simplistic in pinning this problem on school causes alone.

Many of you are from federally-funded labs and centers that concentrate on what

researchers call "development." In this area I think there is much that you can do. I happen to believe that we do know enough about the scope and nature of the school violence problem to begin working on solutions. The Philadelphia Laboratory -- Research for Better Schools — has already gathered a number of school groups together with representatives of the Law Enforcement Assistance Administration to begin thinking about the problem. In short, you can begin working on "development" in this area-- just be sure you include in the process the groups that have to deal with the solutions — by that I naturally mean, talk to the AFT.

In closing, I would just like to say that in a political and economic period like the one we are suffering through this is an issue which can be used to fragment all the groups concerned with quality schooling -- including schooling for troubled, disruptive students. We have to be careful not to get distracted from finding the real solutions to school violence problems by concentrating on blame-placing-- particularly when those we tend to blame never had the resources to do the job anyway, and today have even less. Solutions to school violence problems will cost money and we ought to be figuring out ways how we can work together to get it.